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PTO/SB/64/(6-95)

PATENT
Customer No. 22,852
Attorney Docket No. 09314-0006-00000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
NOWAK et al.) Group Art Unit: 2874
Application No.: 09/936,469) Examiner: Tina M. LIN
Filed: February 13, 2002) Confirmation No.: 4221
For: FIBER TRANSMISSION)
ELEMENT FOR GENERATING A)
CHROMATIC DISPERSION)

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT
ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)

The above-identified application became abandoned for failure to file a timely and proper response to the Office action mailed on March 18, 2004, which set a 6 month period for response. The abandonment date of this application is September 18, 2004. The delay caused by the abandonment of the application was unintentional. The Office Action was mailed to the applicants' previous counsel and was not forwarded to the applicants. The Notice of Abandonment was mailed on October 12, 2004 to the applicants' present counsel.

Applicants hereby petition for revival of this application. The petition fee as set forth in 37 C.F.R. § 1.17(m) of \$1,370.00 is enclosed.

In addition, applicants submit a response to the above-noted Office action in the form of Reply to Office Action.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

If there are any other fees due in connection with the filing of this response, including any fees required for an extension of time under 37 CFR § 1.136, such an extension is requested, and the Commissioner is authorized to charge any related fees to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: December 8, 2004

By: 
Gary J. Edwards
Reg. No. 41,008